

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAVID RUSSELL MYRLAND, )  
 ) CASE NO. C12-0126-JLR  
Plaintiff, )  
 )  
v. )  
 ) ORDER OF DISMISSAL  
UNITED STATES OF AMERICA, *et al.*, )  
 )  
Defendants. )  
\_\_\_\_\_ )

The Court, having reviewed the Report and Recommendation of United States Magistrate Judge Mary Alice Theiler, the governing law, and the balance of the record, does hereby find and ORDER:

- (1) The Report and Recommendation is ADOPTED;
- (2) This matter is DISMISSED without prejudice for frivolousness and for failure to state a claim upon which relief may be granted, 28 U.S.C. § 1915A(b)(1); and
- (3) The Clerk of Court is directed to send copies of this Order to plaintiff and to Magistrate Judge Mary Alice Theiler.

01 DATED this \_\_\_\_ day of \_\_\_\_\_, 2012.

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04 JAMES L. ROBART  
05 United States District Judge  
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